

**IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN
DISTRICT OF MICHIGAN**

DONALD AND BELYNDA
GAMBRELL,

Case No.: 2:21-cv-11846-DML-CI

Plaintiff,

v.

Hon. David M. Lawson
Magistrate Judge Curtis Ivy, Jr.

G4S SECURE SOLUTIONS (USA) INC.,
RENAISSANCE CENTER
MANAGEMENT COMPANY, AND
GENERAL MOTORS, LLC,

Jointly and severally,

Defendants.

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**THE G4S DEFENDANTS' MOTION TO REINSTATE:
(1) MOTION TO STRIKE PLAINTIFFS' JURY DEMAND;
(2) MOTION TO COMPEL INDEPENDENT MEDICAL EXAMINATIONS
OF PLAINTIFFS; AND (3) MOTION FOR LEAVE TO FILE TWO
SUMMARY JUDGMENT MOTIONS**

The G4S Defendants, file this Motion to Reinstate, respectfully requesting that the Court enter an order reinstating: (1) the G4S Defendants' Motion to Strike Plaintiffs' Jury Demand (ECF No. 31); (2) the G4S Defendants' Motion to Compel Independent Medical Examinations of Plaintiffs (ECF No. 54); and (3) the G4S Defendants' Motion for Leave to File Two Summary Judgment Motions (ECF No. 75) (collectively, "the Motions"). In Support, the G4S Defendants state:

1. Consistent with Local Rule 7.1, the G4S Defendants certify that they conferred with Plaintiffs' counsel by phone on August 26 and August 29, 2022, to discuss the basis for this Motion and sought Plaintiffs' concurrence, but concurrence was not reached making this Motion necessary.

2. On March 23, 2022, Defendants filed their Motion to Strike Plaintiff's Jury Demand [ECF No. 31.] The motion is fully briefed: Plaintiffs filed their response on April 6, 2022 [ECF No. 33] and Defendants filed their reply on April 13, 2022 [ECF. No. 36.]

3. On May 20, 2022, Defendants filed their Motion to Compel Independent Medical Examinations of Plaintiffs [ECF No. 54.] The motion is fully briefed: Plaintiffs filed their response on June 2, 2022 [ECF No. 63] and Defendants filed their reply on June 8, 2022 [ECF No. 68.]

4. On June 15, 2022, Defendants filed their Motion for Leave to File Two Motions for Summary Judgment. Plaintiffs have not filed a response.

5. By June 20, 2022, a settlement was reached, and Defendants filed a notice of settlement [ECF No. 76.]

6. Also on June 20, 2022, Plaintiffs' counsel asked the G4S Defendants to withdraw their pending motion [ECF No. 54] set for a hearing on June 21. On June 21, 2022, the G4S Defendants complied with Plaintiffs' request and filed a notice of withdrawal [ECF No. 77.]

7. In response to Defendants' submissions [ECF Nos. 76 and 77], the Court issued an order dismissing the Motions [ECF No. 78.]

8. On June 28, 2022, Plaintiffs' counsel blindsided the G4S Defendants and attempted to revoke acceptance of the agreement.

9. On July 7, 2022, the G4S Defendants filed a motion to enforce the settlement agreement [ECF No. 81.] As of the date of this filing, that motion is pending.

10. On August 23, 2022, the parties appeared before the Honorable Magistrate Judge Curst Ivy, Jr. on the following: Plaintiffs' Second Motion to Compel and Disqualify Counsel for Defendants [ECF No. 48]; the G4S Defendants' Motion to Stay [ECF No. 84]; Plaintiffs' Renewed Motion for Sanctions [ECF No. 49]; and the G4S Defendants' Motion to Enforce Settlement Agreement [ECF No. 81.]

11. If the G4S Defendants' Motion to Enforce the settlement agreement is denied, it is expected that litigation of this action will continue, and the relief sought in the Motions will be necessary for the G4S Defendants to effectively put forth a defense.

WHEREFORE, for the reasons stated above the G4S Defendants respectfully request that this Honorable Court reinstate the Motions.

Dated August 29, 2022

Respectfully submitted,

/s/ Kelly Eisenlohr-Moul

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CERTIFICATE OF SERVICE

I certify that on this 29th day of August 2022, I filed this document using this Court's CM/ECF System that will automatically notify all parties or counsel of record.

/s/ Kelly Eisenlohr-Moul